



**CITY PLAN COMMISSION MEETING
2ND FLOOR CITY COUNCIL CHAMBERS
MAY 3, 2012
1:30 P.M.**

MINUTES

The City Plan Commission met at the above place and date.

The meeting was called to order at 1:32 p.m. Commissioner Nance present and presiding and the following Commissioners answered roll call.

COMMISSIONERS PRESENT:

Commissioner De La Cruz
Commissioner Wright
Commissioner Borden
Commissioner Carreto
Commissioner Nance
Commissioner Brandrup
Commissioner Vorba
Commissioner Schauer

COMMISSIONERS ABSENT:

Commissioner Landeros

AGENDA

Commissioner Brandrup read the rules into the record. Philip Etiwe, Development Review Manager, read the revisions to the agenda into the record.

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE** the agenda as amended.

Motion passed.

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I. CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Plan Commission on any items that are not on the City Plan Commission Agenda and that are within the jurisdiction of the City Plan Commission. No action shall be taken.

NO ACTION WAS TAKEN.

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II. CONSENT AGENDA

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Carreto, and unanimously carried to **APPROVE, AS REVISED**, all matters listed under the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION**, unless otherwise noted. (Items approved, postponed, or deleted pursuant to the **CONSENT AGENDA AND REGULAR AGENDA - DISCUSSION AND ACTION** vote will be shown with an asterisk [*]).

Extension Request to Submit Recording Maps:

1. **SUSU12-00033:** Franklin Hills Point Unit 1 - Being a portion of H.G. Foster Survey
262, City of El Paso, El Paso, County, Texas
Location: East of Franklin Hills and North of Franklin Point
Property Owner: Franklin Hills
Representative: CSA Design Group
District: 1
Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner Carreto, and unanimously carried to **APPROVE SUSU12-00033**.

Motion passed.
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III. REGULAR AGENDA - DISCUSSION AND ACTION:

PUBLIC HEARING Rezoning Application:

2. **PZRZ12-00006:** A portion of Lot 2, Block 2, Butterfield Trail Aviation Park Unit
Two, City of El Paso, El Paso County, Texas
Location: 10151 Montana Avenue
Zoning: C-4 (Commercial)
Request: From C-4 (Commercial) to M-1 (Light Manufacturing)
Existing Use: Vacant
Proposed Use: Sun Metro Operations and Maintenance Facility
Property Owner: City of El Paso
Representative: Quantum Engineering Consultants, Inc., c/o Robert A. Gonzales
District: 2
Staff Contact: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Commissioner Wright noted that at the last meeting there was a request for rezoning to C-4 next to the freeway. Staff's recommendation for that request was for denial because it would have been spot zoning. Mr. Wright asked if this request should also be denied for the same reason.

Lupe Cuellar, Assistant City Attorney, noted that staff is looking at the newly adopted land use plan. She feels staff and the Commission should set aside some time in the next City Plan Commission meeting to go over the Future Land Use Map that was adopted by City Council so that she can explain those land uses.

Robert Gonzales with Quantum Engineering concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **APPROVE PZRZ12-00006 WITH THE REVISED PLAN.**

Motion passed.

Commissioner Wright requested that all future zoning cases coming along this corridor be treated fairly.

Commissioner Nance reminded staff to bring back a report on the items presented to the City Plan Commission and how they were voted on. Staff agreed to bring this report back at the next City Plan Commission meeting.

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***ACTION:** Motion made by Commissioner De La Cruz, seconded by Commissioner Wright, and unanimously carried to **HEAR ITEMS 3 AND 15 TOGETHER BUT THAT ITEM 15 BE HEARD FIRST.**

Motion passed.

15. An Ordinance amending Title 21 (SmartCode), Chapter 21.30 (New Community Plans), Chapter 21.40 (Infill Community Plans), Chapter 21.50 (Building Scale Plans), Chapter 21.70 (Definitions of Terms), and Chapter 21.80 (Tables) of the El Paso City Code to clarify the Smartcode provisions, to calibrate the SmartCode to the local character of the place and local conditions, and to add standards for a new transect zone; the penalty is as provided for in Chapter 21.60 of the El Paso City Code.

Staff Contact: David A. Coronado, (915) 541-4632,
coronadoda@elpasotexas.gov

David Coronado, Lead Planner, noted that items 3 and 15 are related so they will be heard together. He gave a background of what has been done for the past four years since the SmartCode was adopted by City Council. He noted they are amending the text to make it clearer and are also adding new TOD standards. The major change is the T50 Transect Zone. Included in the packets were the red line, the final ordinance, and the exhibits. He went over the red line version of the changes.

Staff shared this information with DCC and different departments for review and has not received any adverse comments.

It was suggested by the Commission that a cover sheet along with the power point presentation be included in the packet to make it easier to follow and the Commission will feel more comfortable in making a recommendation.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request.

Conrad Conde with Conde, Inc., noted that this is not closely calibrated to El Paso but they had to get something on the ordinance to get the Montecillo project started. He concurred with staff's comment.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Borden, and unanimously carried to **APPROVE AN ORDINANCE AMENDING TITLE 21 (SMARTCODE), CHAPTER 21.30 (NEW COMMUNITY PLANS), CHAPTER 21.40 (INFILL COMMUNITY PLANS), CHAPTER 21.50 (BUILDING SCALE PLANS), CHAPTER 21.70 (DEFINITIONS OF TERMS), AND CHAPTER 21.80 (TABLES) OF THE EL PASO CITY CODE TO CLARIFY THE SMARTCODE PROVISIONS, TO CALIBRATE THE SMARTCODE TO THE LOCAL CHARACTER OF THE PLACE AND LOCAL CONDITIONS, AND TO ADD STANDARDS FOR A NEW TRANSECT ZONE.**

Motion passed.

3. **PZRZ11-00058:**
- Parcel 1: A portion of Tract 1, all of Tracts 3 and 3A, John Barker Survey No. 10 and Tract 4F2B, A.F. Miller Survey No. 215 and Tracts 6 and 7, I.F. Harrison Survey No. 54 and Montecillo Unit Three Amending Plat save and except Lot 2, Block 2, Thereof as recorded in clerk's file no. 20090065237 and save and except 4.6007 acres being Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, recorded in clerk's file No. 20110085971, Real property records City of El Paso, El Paso County, Texas
- Parcel 2: Tract 4, John Barker Survey No. 10, City of El Paso, El Paso County, Texas
- Parcel 3: Lot 1, Block 3, Kings Hill Replat and Tract 4A, 6G and a portion of Tract 6A, A.F. Miller Survey No. 216 and Tract 21, John Barker Survey No. 10, City of El Paso, El Paso County, Texas
- Location: Parcel 1: north of Executive Center Boulevard and west of Mesa Street
- Parcel 2: south of Castellano Drive, north of Executive Center Boulevard
- Parcel 3: north of Castellano Drive and east of Mesa Street
- Zoning: Parcel 1: C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, M-1
- Parcel 2: M-3
- Parcel 3: C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3
- Request: Parcel 1: From C-1, C-2, C-3/C, GMU/C, A-2, R-3, R-3A, R-5, M-1 to SCZ (SmartCode Zone)
- Parcel 2: From M-3 to SCZ (SmartCode Zone)
- Parcel 3: From C-1, C-1/SC, A-O/SC, A-O/C/SC, PR-1/SC and R-3 to SCZ (SmartCode Zone)
- Proposed Use: TND (Traditional Neighborhood Development)
- Property Owner: EPT Mesa Development, LP
- Representative: Conde, Inc.
- Districts: 1 and 8
- Staff Contact: Laura Kissack, (915)-541-4723, kissacklf@elpasotexas.gov

Laura Kissack, Planner, provided the Commissioners with a brief presentation on the rezoning application and regulating plan.

Lupe Cuellar, Assistant City Attorney, responded that the applicant is not asking for any variances but is only asking for adjustments and warrants.

Conrad Conde with Conde, Inc., concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

Motion passed.

Motion passed.

1 MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Vorba, and carried to **APPROVE SUSU12-00032.**

AYES: Commissioner De La Cruz, Wright, Nance, Carreto, Vorba, Brandrup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden

ABSENT: Commissioner Landeros

Motion passed.

2ND MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Carreto, and carried to **RE-OPEN SUSU12-00032.**

AYES: Commissioner De La Cruz, Wright, Nance, Carreto, Vorba, Brandrup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden

ABSENT: Commissioner Landeros

Motion passed.

The Commission asked if they had underestimated the park fees because of vesting.

Raul Garcia, Senior Planner, noted that item number 5 was deemed to be vested so the park fees were based on the amounts that existed prior to 2006 and those fees were \$300 per unit per single family.

Richard Garcia with Parks and Recreation noted that if they had noticed no movement they would have assessed the higher fee but they have noticed progress within the previous units.

3RD MOTION:

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to **CLOSE SUSU12-00032.**

No action was taken after discussion, so the prior action stands.

Motion passed.

PUBLIC HEARING Resubdivision Combination:

6. **SUSU12-00019:** Cimarron Unit 1 Replat A - Being a replat of Lot 25, Block 1, Cimarron Unit 1, City of El Paso, El Paso County, Texas
 Location: North of Northern Pass and East of Resler Drive
 Property Owners: Ernesto Ochoa & Lluvia A. Ochoa
 Representative: CAD Consultant
 District: 1
 Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **POSTPONE SUSU12-00019 FOR TWO (2) WEEKS, TO THE CITY PLAN COMMISSION MEETING OF MAY 17, 2012.**

Motion passed.

7. **SUSU12-00030:** Sageland Elementary School Subdivision – Being all of Lots 1, 2, 3, 4 & 21, Block 17; all of Lots 1 through 24, Block 18; all of Lots 1 through 15, Block 19; the vacated Santa Cruz road right-of-way; and Santa Clara Ct. between La Paz Dr. and Venado Dr. (vacated through this plat); all in the First Revised Map of Sageland Addition, City of El Paso, El Paso County, Texas
- Location: West of Yarbrough Drive and South of I-10
Property Owner: Ysleta Independent School District
Representative: Huitt-Zollars, Inc.
District: 3
Staff Contact: Justin Bass, (915) 541-4930, bassid@elpasotexas.gov

***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **DELETE SUSU12-00030**.

Motion passed.

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Note: Commissioner Borden left before the discussion on item 8.

8. **SUSU12-00035:** Jeff's Subdivision – Being a replat of a portion of Tract 327, Sunrise Acres, City of El Paso, El Paso County, Texas
- Location: West of Patriot Freeway and South of Moonlight Avenue
Property Owners: Jeffrey Hollow & Jill O'Connor
Representatives: Jeffrey Hollow & Jill O'Connor and Barragan & Associates, Inc.
District: 2
Staff Contact: Justin Bass, (915) 541-4930, bassid@elpasotexas.gov

Richard Garcia with Parks and Recreation noted that there has been progress. He noted that unit's one and two are almost done and work is being done on unit three.

Jeffrey Hollow concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner Carreto, and carried to **APPROVE SUSU12-00035 WITH WAIVER AND EXCEPTIONS**.

AYES: Commissioner De La Cruz, Wright, Nance, Carreto, Vorba, Brandrup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden

ABSENT: Commissioner Landeros

Motion passed.

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9. **SUSU12-00037:** Country Club View – Being a Replat of all of Tract 2 and a Portion of Tract 3, Country Club Place Southside, City of El Paso, El Paso County, Texas
- Location: South of Country Club Road and East of Montoya Road
Property Owner: Pasotex Realty Investments LTD
Representative: Roe Engineering
District: 8
Staff Contact: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov

Bradley Roe with Roe Engineering concurred with staff's comments.

Motion passed.

Note: Commissioner Carreto left the meeting after discussion on item 10.

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***ACTION:** Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and unanimously carried to **HEAR SUB10-00164 AND SUB10-00165 TOGETHER.**

Motion passed.

PUBLIC HEARING Street Vacations:

11. **SUB10-00164:** East San Antonio Street Vacation - A 0.068 acres (2,987 square feet) of land out of East San Antonio Street, Campbell's Addition to the City of El Paso, El Paso County, Texas
 Location: North of East San Antonio Street @ Campbell Street
 Property Owner: City of El Paso
 Representative: City of El Paso
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov
12. **SUB10-00165:** Magoffin Ave. Street Vacation - A 0.166 acres (7,233 square feet) of land out of Magoffin Avenue, Campbell's addition to the City of El Paso, El Paso County, Texas
 Location: East of Campbell @ Magoffin
 Property Owner: City of El Paso
 Representative: City of El Paso
 District: 8
 Staff Contact: Raul Garcia, (915) 541-4935, garcia1@elpasotexas.gov

Raul Garcia, Senior Planner, noted that these two vacations abut the new Federal Courthouse and are part of a supplemental lease agreement between the City and the Federal Government. The Federal Government proposes to vacate these portions of ROW to address encroachments and to have full control of the security perimeter in front of the court house. In exchange for vacating the portions of ROW, the Federal Government has agreed to extend the City's lease for the Stanton Street Bridge toll facilities for 49 years. The intent is for all these vacations to move forward along with the agreements to City Council. He noted the conditions no longer are applicable as revised surveys were received. Those surveys show both portions to be vacated for a full-width utility easement to be retained on both vacations.

Said Larbi-Cherif with the International Bridges Department noted that the Federal Government is not paying us. We own the bridges but the toll facilities are on their land.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Brandup, seconded by Commissioner Wright, and carried to **APPROVE SUB10-00164 AND SUB10-00165.**

AYES: Commissioner De La Cruz, Wright, Nance, Vorba, Brandup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden, and Carreto

ABSENT: Commissioner Landeros

Motion passed.

Other Business:

13. Discussion and action on a revised Annexation Agreement and a Resolution authorizing the City Manager to sign an Annexation Agreement between the City and Genagra, L.P., for 20.552 acres of real property, located south of Pebble Hills Blvd. and west of Zaragoza Road. AN08009
Staff Contact: Kimberly Forsyth, (915) 541-4668, forsythkl@elpasotexas.gov

Kimberly Forsyth, Lead Planner, gave a brief history of this request and a power point presentation, and noted that the history on this annexation goes back to 2008 when application was originally submitted. It came before the City Plan Commission in January 2010 and was approved. There have been some minor and more significant revisions both at the request of city departments and the applicant. If approved, the annexation process will begin. She read the conditions that were agreed to by the City and applicant.

Commissioner Wright noted that there is a great deal of confusion when it comes to apartments considered residential apartments and sometimes they are considered commercial apartments and suggested that it be consistent on how they are called.

Bradley Roe with Roe Engineering concurred with staff's comments.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Wright, seconded by Commissioner De La Cruz, and carried to **APPROVE A REVISED ANNEXATION AGREEMENT AND A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN AN ANNEXATION AGREEMENT BETWEEN THE CITY AND GENAGRA, L.P., FOR 20.552 ACRES OF REAL PROPERTY, LOCATED SOUTH OF PEBBLE HILLS BOULEVARD AND WEST OF ZARAGOZA ROAD. AN08009.**

AYES: Commissioner De La Cruz, Wright, Nance, Vorba, Brandrup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden, and Carreto

ABSENT: Commissioner Landeros

Motion passed.

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14. Discussion and action on an Ordinance amending Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.080 (Animal facilities, animal kennel, animal training facility, veterinary treatment center, clinic or hospital), Appendix A (Table of Permissible Uses) of the El Paso City Code to allow Animal facilities, animal kennel, animal training facility, veterinary treatment center, clinic or hospital in M-1 (Light Manufacturing Zone District). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
Staff Contact: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

Art Rubio, Senior Planner, gave a power point presentation and noted that currently this code is in line with a lot of changes proposed to the code in support of Plan El Paso Comprehensive Plan. The proposed amendment would have M-1 (Light Manufacturing) as a base zone that would now permit Animal Facilities. The proposed amendment encourages additional uses in industrial areas in promoting the newly adopted Plan El Paso Land Use to provide flexibility of uses and adaptive reuse of existing abandoned structures or newly developed structures in areas that have transitioned away from light manufacturing uses. He presented a copy of the ordinance and noted that it is the same as the other ordinance except the M-1 (Light Manufacturing) has been added in each of the categories.

Commissioner Nance asked if there was anyone in the public who wished to speak in favor or against this request. There was no response.

ACTION: Motion made by Commissioner Brandrup, seconded by Commissioner Schauer, and carried to **APPROVE AN ORDINANCE AMENDING TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.080 (ANIMAL FACILITIES, ANIMAL KENNEL, ANIMAL TRAINING FACILITY, VETERINARY TREATMENT CENTER, CLINIC OR HOSPITAL), APPENDIX A (TABLE OF PERMISSIBLE USES) OF THE EL PASO CITY CODE TO ALLOW ANIMAL FACILITIES, ANIMAL KENNEL, ANIMAL TRAINING FACILITY, VETERINARY TREATMENT CENTER, CLINIC OR HOSPITAL IN M-1 (LIGHT MANUFACTURING ZONE DISTRICT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

AYES: Commissioner De La Cruz, Wright, Nance, Vorba, Brandrup, and Schauer

NOT PRESENT FOR THE VOTE: Commissioner Borden, and Carreto

ABSENT: Commissioner Landeros

Motion passed.

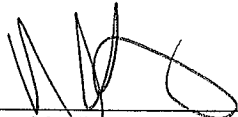
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16. Planning Report:
N/A
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17. Legal Report:
N/A
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ADJOURNMENT:

Motion made by Commissioner Wright, seconded by Commissioner Nance, and unanimously carried to adjourn this meeting at 3:50 p.m.

Approved as to form:



Mathew McElroy, Executive Secretary, City Plan Commission